

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTOINE SMITH,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 13-44
)	Judge Terrence F. McVerry/
)	Magistrate Judge Maureen P. Kelly
)	
OFFICER REDDINGER, IN HIS)	
OFFICIAL CAPACITY,)	
)	
Defendant.)	

ORDER

AND NOW, this 18th day of October, 2013, after the Plaintiff, Antoine Smith, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until October 7, 2013, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Amended Complaint, ECF No. 35, is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

s/ Terrence F. McVerry
TERRENCE F. McVERRY
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Antoine Smith
GL-2292
SCI Chester
500 E 4th Street
Chester, PA 19013

All Counsel of Record Via CM-ECF